

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:05CR422
Plaintiff,)	
)	
vs.)	ORDER
)	
DENNIS E. SMITH and)	
ROSE MEROLLA,)	
)	
Defendants.)	

Defendant Dennis Smith's motion to suppress (Filing No. 15) and defendant Rose Merolla's motion to dismiss (Filing No. 18) and motion to suppress (Filing No. 19) are scheduled for hearing before the undersigned magistrate judge at **9:00 a.m. on January 4, 2006**, in Courtroom No. 7, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

Counsel are reminded of the requirements of NECrimR 12.5 which provides as follows:

Disclosure of Evidence. This rule applies to all evidentiary hearings on pretrial motions in criminal cases.

- (a) **Witnesses.** At the time of the hearing, and to the extent reasonably possible, the parties shall submit to the judge and courtroom deputy a written list of all witnesses whom the parties expect to call.
- (b) **Exhibits.** At least twenty-four (24) hours before the hearing, each party shall mark the exhibits that party intends to introduce into evidence at the hearing, and provide a copy to counsel for all other parties and to the presiding judge.

Exhibits should be marked as follows: government's exhibits beginning at Number 1 and defense exhibits beginning at Number 101.

This being a criminal case, defendants must be present unless otherwise ordered by the court.

DATED this 20th day of December, 2005.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge